

ISMAIL J. RAMSEY (CABN 189820)
United States Attorney

MARTHA BOERSCH (CABN 126569)
Chief, Criminal Division

NICHOLAS M. PARKER (CABN 297860)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7368
Fax: (415) 436-7234
Nicholas.Parker3@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RHIANNON STEWART,

Defendant.

CASE NO. 3:22-CR-00461-002 JD

**STIPULATION TO SET CHANGE-OF-PLEA
HEARING FOR NOVEMBER 25, 2024, AND
EXCLUDE TIME UNTIL THAT DATE;
~~[PROPOSED]~~ ORDER**

WHEREAS, there was a change-of-plea hearing scheduled in the above-captioned matter for October 7, 2024;

WHEREAS, the parties have reached an agreement to resolve the case, which they have reduced to writing, and provided a copy of their proposed plea agreement to the Court on October 4, 2024;

WHEREAS, on October 7, 2024, the Court and parties agreed to continue the change-of-plea hearing to a later date, in part to ensure effective preparation in view of the extensive discovery already produced, which defense counsel is continuing to review; and

WHEREAS, the defendant wishes to request a pre-plea presentence report at this time to ensure sentencing occurs as expeditiously as possible following her change of plea.

IT IS HEREBY STIPULATED AND AGREED by and between counsel for the United States and counsel for the defendant, Rhiannon STEWART, that (i) a change-of-plea hearing be scheduled for November 25, 2024; (ii) a pre-plea presentence report be ordered and provided to the Court and parties by January 12, 2025; and (iii) time be excluded under the Speedy Trial Act until November 25, 2024.

The government and counsel for the defendant agree that time should be excluded under the Speedy Trial Act so that defense counsel may continue to prepare, including by reviewing the discovery already produced. For these reasons, the parties stipulate and agree that excluding time until November 25, 2024, will allow for the effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice served by excluding the time from October 7, 2024, through November 25, 2024, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

The undersigned Assistant United States Attorney certifies that he has obtained approval from counsel for the defendant to file this stipulation and proposed order.

IT IS SO STIPULATED.

DATED: October 10, 2024

Respectfully submitted,

ISMAIL J. RAMSEY
United States Attorney

/s/ Nicholas Parker
NICHOLAS M. PARKER
Assistant United States Attorney

DATED: October 10, 2024

/s/ Elizabeth Falk
ELIZABETH FALK
Counsel for Defendant STEWART

~~[PROPOSED]~~ ORDER

Based upon the facts set forth in the stipulation of the parties, and for good cause shown, the Court (i) sets a change-of-plea hearing for November 25, 2024; (ii) orders the United States Probation Office to prepare a presentence report and to provide a copy of that report to the Court and the parties by January 12, 2025; and (iii) finds that failing to exclude the time from October 7, 2024, through November 25, 2024, would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

The Court further finds that the ends of justice served by excluding the time from October 7, 2024, through November 25, 2024, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that (i) a change-of-plea hearing shall be scheduled for November 25, 2024; (ii) the United States Probation Office shall prepare a presentence report and shall provide a copy of that report to the Court and the parties by January 12, 2025; and (iii) the time from October 7, 2024, through November 25, 2024, shall be excluded from computation under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

IT IS SO ORDERED.

DATED: October 16, 2024



JAMES DONATO
United States District Judge